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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,213	07/17/2003	Felix L. Sorkin	1101-157	1061

7590 03/12/2004

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EXAMINER

DUNWOODY, AARON M

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/621,213

Applicant(s)

SORKIN, FELIX L.

Examiner

Aaron M Dunwoody

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5-7 and 11-14 is/are rejected.
- 7) ☒ Claim(s) 2-4,8-10 and 15-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/27/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

No priority claimed.

Information Disclosure Statement

The information disclosure statement (IDS) filed 10/27/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "22" has been used to designate both an anchor plate and a cap. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities:

The disclosure recites "the anchor plate 22" and "a cap 22"; however, both of these statements cannot be correct.

The disclosure recites "the wide diameter portion 36" and "the wide diameter portion 34"; however, both of these statements cannot be correct.

The disclosure recites "the narrow diameter portion 34" and "the narrow diameter portion 36"; however, both of these statements cannot be correct.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5 and 11-14 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 6381912, Sorkin.

In regards to claim 1, Sorkin discloses a bonded monostrand post-tension system comprising:

an anchor (50) having a tubular extension extending therefrom;

a duct (72) having a longitudinal axis, the duct having an interior passageway formed therein;

a coupler (66, 76, 84) having a one end affixed to the tubular extension of the anchor and another end affixed to the duct; and

a single tendon (18) secured to the anchor and extending through the duct and the coupler.

In regards to claim 5, Sorkin discloses the one end of the coupler being in interference-fit relationship with the tubular extension, the another end of the coupler being in interference-fit relationship with the duct.

In regards to claim 11, Sorkin discloses the tendon having an end extending outwardly of an end of the anchor opposite the coupler, the system further comprising:

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a pair of wedges (56) in interference-fit relationship between a surface of the tendon and an inner wall of a cavity formed in the anchor; and

a cap (64) affixed to the anchor and extending over and around the end of the tendon.

In regards to claim 12, Sorkin discloses a grout material filling an interior of the duct and around the tendon therein.

In regards to claim 13, Sorkin discloses the coupler having a wide diameter portion (when compared to the duct) extending over an end of the duct and a narrow diameter portion (when compared to the anchor) extending over the tubular extension of the anchor.

In regards to claim 14, Sorkin discloses an anchor assembly for a bonded monostrand post-tension system comprising:

an anchor having a tubular extension extending from one end thereof ; and

a coupler having a first end affixed over the tubular extension in interference-fit relationship therewith, the coupler being axially aligned with a longitudinal axis of the tubular extension, the coupler having an interior passageway extending therethrough.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sorkin in view of US patent 3578777, DeGain.

In regards to claim 6, Sorkin discloses the claimed invention except for the duct being a tubular body having a plurality of corrugations extending outwardly therefrom along an exterior surface thereof, each of the plurality of corrugations being in spaced relationship to an adjacent corrugation. DeGain teaches a duct (10) being a tubular body having a plurality of corrugations (14) extending outwardly therefrom along an exterior surface thereof, each of the plurality of corrugations being in spaced relationship to an adjacent corrugation to strengthen the duct to resist collapse when subjected to axial load (col. 2, lines 12-54). As DeGain solves a similar problem as the invention of the instant application, it would have been obvious to one having ordinary skill in the art at the time the invention was made to fabricate a duct with a tubular body having a plurality of corrugations extending outwardly therefrom along an exterior surface thereof, each of the plurality of corrugations being in spaced relationship to an adjacent corrugation to strengthen the duct to resist collapse when subjected to axial load, as taught by DeGain.

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In regards to claim 7, DeGain discloses the duct having a first longitudinal channel (18) extending along an entire length of the duct and between adjacent pairs of the corrugations, the duct having a second longitudinal channel (18) extending along an entire length of the duct and between adjacent pairs of the corrugations, each of the first and second longitudinal channels having an end opening interior of the coupler, each of the first and second longitudinal channels and each of the plurality of corrugations opening to the interior passageway of the duct.

Allowable Subject Matter

Claims 2-4, 8-10 and 15-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose the coupler having a first and second internal threads at its ends, wherein the first internal thread engages the tubular extension of the anchor and the second internal thread engages an exterior surface of the duct (claims 2, 15 and 17); nor, the coupler having an inlet opening to an interior passageway positioned between the ends of the coupler (claim 8).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure because it illustrates the inventive concept of the invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M Dunwoody whose telephone number is (703)

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306-3436. The examiner can normally be reached on Monday - Friday between 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H Browne can be reached on (703) 308-1159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

.amd



Aaron Dunwoody
Patent Examiner
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